Access to Information and Transparency Enablers under Business Reform Action Plan – 2016.

Government of Maharashtra
Industries, Energy and Labour Department
Government Circular No : E-biz 2016/C.R. 176/ Ind-8
Mantralaya, Madam Cama Road,
Hutatma Rajguru Square,
Nariman Point, Mumbai – 400 032.

Date: 28/06/2016

CIRCULAR

Preamble -

The Department of Industrial Policy & Promotion (DIPP) under Ministry of Commerce & Industry, Government of India, has issued a Business Reforms Action Plan 2016 for States/UTs. This initiative by the Government of India is taken to improve the Ease of Doing Business across the states in the country. The States will be evaluated based on their compliance with the parameters mentioned in the Action Plan 2016. DIPP will carry out the evaluation based on timely responses for approvals of various applications, the feedback given by investors about their experience of using the facilities and responses provided by the robust grievance redressal mechanism in place.

Regulatory certainty for business is enhanced when feedback from stakeholders on draft Business related Acts, Rules and Regulations is taken before they are enacted. Regulations that are compiled with stakeholder input tend to have a higher degree of compliance and consequently impose a lower burden in terms of enforcement. Allowing stakeholder inputs in business regulations is therefore a prerequisite for good governance.

Keeping in mind the importance of stakeholder input for business regulations, the Business Reform Action Plan – 2016, Part 1 - Access to Information and Transparency Enablers, point number 12 and 13 respectively states that *“Mandate and make arrangements to publish draft business regulation online and invite public comments/ feedback on the same prior to enactment” and “Mandate and make arrangements to publish the comments/feedback received on the draft regulation and how they were addressed in the final regulation”*.

Since various Acts/Rules/Policy are enacted/specified by different Administrative Departments of the State, Government has decided that all the Administrative Departments should follow the mentioned recommendation under BRAP 2016, while specifying Rules/Regulations.

The proposed activity will increase transparency and involve the citizens' point of view in taking decisions which affect them. This will also ease access to information under the Business Reforms Action Plan – 2016 for the State.

Circular

Considering the facts mentioned above and as per the provision of Maharashtra Rules of Business First Schedule entry 2-A where in the subject "Overall State Policy for trade and commerce " has been allotted to the Department of Industries, here by directs that "Whenever any administrative Department proposes to make a rule or regulation with respect to Industries, Trade and Commerce it shall pre-publish such rule and regulation online and make arrangements to publish the comments received on such draft regulations".

The Circular is been issued in concurrence and opinion given by Law and Judiciary Department vide UOR R.I no. B-587 dated 23.06.1016.

This Government circular of Maharashtra Government is available at the website www.maharashtra.gov.in. Reference no. for this is **201606291250364610**.This order has been signed digitally.

By order and in the name of the Governor of Maharashtra.

KOCHAREKAR SHRADDHA DEVEN

Digitally signed by KOCHAREKAR SHRADDHA DEVEN
DN: c=IN, o=GOVERNMENT OF MAHARASHTRA, ou=INDUSTRY ENERGY AND LABOUR,CID - 918058, postalCode=400032, st=Maharashtra, cn=KOCHAREKAR SHRADDHA DEVEN
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(Shraddha Kocharekar)
Section Officer to Government of Maharashtra

To,

1. Principle Secretary to the Hon'ble Governor of Maharashtra.
2. Principle Secretary to the Hon'ble Chief Minister of Maharashtra.
3. Private Secretary to Hon'ble Minister (Industry) Maharashtra.
4. Private Secretary to Hon'ble Minister of State (Industry) Maharashtra.
5. All Private Secretaries to All the Hon Ministers / Ministers of the State.
6. Chief Secretary of Maharashtra.
7. Private Secretary to Hon'ble Leader of Opposition, Maharashtra Legislature Assembly, Vidhanbavan, Mumbai.
8. Private Secretary to Hon'ble Leader of Opposition, Maharashtra Legislature Council, Vidhanbavan, Mumbai.
9. All Additional Chief Secretaries/Principal Secretaries/Secretaries to the Government of Maharashtra.
10. Development Commissioner (Industries) Directorate of Industry, Mumbai.
11. All Departments of Mantralaya, Mumbai.
12. All Desk Officers in the Industries, Energy and Labour Department.
13. The industries, Energy and labour Department (Ind-8) Select file.